

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL L. OVERTON,
Plaintiff,
v.
CALIFORNIA HEALTH CARE
FACILITY, et al.,
Defendant.

No. 2:23-cv-1443 CKD P

ORDER AND
FINDINGS AND RECOMMENDATIONS

On August 18, 2023, the court ordered that plaintiff either pay the \$402 filing fee for this action or submit an application to proceed in forma pauperis. Plaintiff was warned that failure to do so would result in dismissal. The time allotted to plaintiff to either pay the filing fee or submit an application to proceed in forma pauperis has expired.

Although it appears from the docket that plaintiff's copy of the August 18, 2023, order was returned, plaintiff was properly served. It is the plaintiff's responsibility to keep the court apprised of his current address at all times. Pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court assign a district court judge to this case; and

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1 IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

2 These findings and recommendations are submitted to the United States District Judge
3 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
4 after being served with these findings and recommendations, plaintiff may file written objections
5 with the court. The document should be captioned "Objections to Magistrate Judge's Findings
6 and Recommendations." Plaintiff is advised that failure to file objections within the specified
7 time may waive the right to appeal the District Court's order. Martinez v. Ylst, 951 F.2d 1153
8 (9th Cir. 1991).

9 Dated: September 28, 2023



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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